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FORT LAUDERDALE CITY COMMISSION
OCTOBER 16, 2001**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
OCTOBER 16, 2001**

Meeting was called to order at 6:22 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Gloria Katz
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Rouessau

Invocation was offered by *Pastor Daniel Williams*, Fort Lauderdale Seventh Day Adventist Church.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

October 2, 2001

Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle.
NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Mayor Naugle said that there were many things going on in the nation and in the City, and there had been a wonderful program at the Performing Arts Center last night about how great it was to be an American. He pointed out that while everyone did not always agree with the decisions that were made, Americans could meet to make decisions. Mayor Naugle encouraged everyone to remain calm because if terrorists could cause fear, they were winning. He hoped everyone would be careful but still go about their daily lives so the terrorists would not win.

Commissioner Smith agreed with Mayor Naugle. He pointed out that there were very few cases in light of the size of this country. He agreed Americans should continue and live their lives.

Presentations (OB)

1. Community Appearance Board's WOW Award

Commissioner Moore presented this month's WOW Award to:

David and Johnnie Mae Johnson
2080 Northwest 10th Avenue

Commissioner Moore said the Johnson's had owned their home for two years and had been involved in the planning, landscaping and decorating of their home. The home stood out as a jewel – it was easy to see the pride Mr. and Mrs. Johnson had in their home. They particularly enjoy the view of the waterway and Mills Pond Park in their backyard. Mr. Johnson maintained the landscaping and exterior in his "free" time, after working for the City of Fort Lauderdale Parks and Recreation Department. The City Commission congratulated Mr. and Mrs. Johnson for keeping Fort Lauderdale beautiful, and for being this month's Community Appearance Board WOW award winners. Commissioner Moore presented them with a gift certificate from Causeway Lumber.

Mrs. Johnson felt any credit should go to God, and Mr. Johnson said he felt blessed for having his job with the City of Fort Lauderdale.

2. Expression of Sympathy

Commissioner Smith presented an Expression of Sympathy, on behalf of the City Commission, to the family of *Charlie Thomas*. He explained that Mr. Thomas was his wife's father, and he had been 80 years old and one of the brightest, funniest people he had ever known.

3. Fort Lauderdale International Film Festival

Commissioner Katz recognized Mayor Naugle and the City, on behalf of the International Film Festival, for support of the upcoming Festival, which was hoped would "put heads in beds."

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Fort Lauderdale Billfish Tournament(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Fort Lauderdale Semi-Annual Billfish Tournament** to indemnify, protect, and hold harmless the City from any liability in connection with the **Fort Lauderdale Billfish Tournament** to be held **Wednesday, November 14, 2001 from 5:00 p.m. to 10:00 p.m.; Friday and Saturday, November 16 and 17, 2001 from 6:00 a.m. to 7:00 p.m.; and Sunday, November 18, 2001 from 6:00 a.m. to 2:00 p.m.** at Las Olas Municipal Marina.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1569 from City Manager.

Event Agreement – Healthy Lifestyle Longer Life Health Fair (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Fort Lauderdale Seventh Day Adventist Church** to indemnify, protect, and hold harmless the City from any liability in connection with the **Healthy Lifestyle Longer Life Health Fair** to be held **Sunday, November 4, 2001 from 12:00 noon to 5:00 p.m.** on Church property located at 850 West Davie Boulevard.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1568 from City Manager.

Event Agreement – 2nd Annual Health Fair and Parade (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Community Health and Education Alliance** to indemnify, protect, and hold harmless the City from any liability in connection with the **2nd Annual Health Fair and Parade** to be held **Saturday, October 20, 2001 from 9:00 a.m. to 4:00 p.m.** at Joseph C. Carter Park; and further authorizing the closing of the following parade route from 9:00 a.m. to 10:30 a.m.: starting at Mount Olive Baptist Church located at N.W. 4 Street and N.W. 9 Avenue, proceeding north on N.W. 9 Avenue to Sistrunk Boulevard, west to N.W. 15 Avenue, and north to end in Joseph C. Carter Park.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1578 from City Manager.

**Event Agreement –
Aircraft Owners and Pilots Association (AOPA) - Parade of Planes(M-4)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Greater Fort Lauderdale Convention and Visitors Bureau** to indemnify, protect, and hold harmless the City from any liability in connection with the **Parade of Planes**; and further authorizing the closing of the following parade route on **Wednesday, November 7, 2001 from 10:00 a.m. to 11:30 a.m.:** from the southern city limits on Federal Highway (U.S. 1) to S.E. 17 Street, east on S.E. 17 Street to Eisenhower Boulevard, and south on Eisenhower Boulevard to the Broward County Convention Center, where the planes will be on static display until **Saturday, November 10, 2001, when they will return, from 2:00 p.m. to 3:30 p.m.,** following the same parade route on reverse, to Fort Lauderdale/Hollywood International Airport.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1579 from City Manager.

Event Agreement – Fort Lauderdale Street Dance (M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Stranahan House** to indemnify, protect, and hold harmless the City from any liability in connection with the **Fort Lauderdale Street Dance** to be held **Friday, February 22, 2002 from 5:00 p.m. to 11:00 p.m.; Saturday, February 23, 2002 from 12:00 noon to 11:00 p.m.; and Sunday, February 24, 2002 from 12:00 noon to 8:00 p.m.;** and further authorizing the closing of South New River Drive from the Andrews Avenue Bridge to the S.E. 3 Avenue Bridge from 8:00 a.m. Friday, February 22, 2002 to 5:00 p.m. Monday, February 25, 2002.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1570 from City Manager.

Agreement – Aldridge Properties, Inc. – Warehouse Space (M-6)

A motion authorizing the proper City officials to execute an agreement with Aldridge Properties, Inc. for warehouse space at 1420 S.W. 3 Avenue for the Parks and Recreation Department, for a term of November 1, 2001 through October 31, 2002.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1484 from City Manager.

Agreement – MDM Group, Ltd. Inc. – Sponsorship for Holiday Park Baseball Scoreboard (M-7)

A motion authorizing the proper City officials to execute an agreement with MDM Group Ltd., Inc. for sponsorship of the Holiday Park baseball scoreboard.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1559 from City Manager.

Budget Amendment for Fiscal Year 2001/2002 (M-8)

A motion authorizing the budget amendment for Fiscal Year 2001/2002 as discussed at the October 2, 2001 Conference meeting.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1567 from City Manager.

**Tripartite Agreement – Performing Arts Center
Authority (PACA) and Broward County – Fiscal Responsibilities for 2001/2002(M-9)**

A motion authorizing the proper City officials to execute a tripartite agreement with PACA and Broward County to delineate fiscal responsibilities for 2001/2002.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1485 from City Manager.

**Transfer from General Fund Contingencies and
Acceptance of Contribution from The Stranahan House –
Expenses for the Acquisition of the Hyde Park Market Property(M-10)**

A motion authorizing the transfer of \$150,000 from General Fund Contingencies to assist with expenses incurred to date for the acquisition of the Hyde Park Market property; and further authorizing the acceptance and appropriation of \$150,000 from The Stranahan House to assist with the expenses of such acquisition.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1594 from City Manager.

**Change Order No. 1 – AKA Services, Inc. –
Project 9393 – Utilities Replacement at Cordova Road/
Lauderdale Harbours Area (M-11)**

A motion authorizing the proper City officials to execute a final adjusting Change Order No. 1 with AKA Services, Inc. in the amount of \$73,096.50 for additional work done under the utilities replacement at Cordova Road/Lauderdale Harbours area project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-1502 from City Manager; and
Memo No. 01-1393 from City Manager.

Change Order No. 1 – Recreational Design and Construction, Inc. – Project 15170 – Croissant Park Aquatic Center (M-12)

A motion authorizing the proper City officials to execute Change Order No. 1 with Recreational Design and Construction, Inc. in the amount of \$40,124 for additional work at Croissant Park Aquatic Center. (Also see Item M-13 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-1497 from City Manager.

Change Order No. 1 – Recreational Design and Construction, Inc. – Project 15280 – Warfield Park Community Center(M-13)

A motion authorizing the proper City officials to execute Change Order No. 2 with Recreational Design and Construction, Inc. in the amount of \$40,124 for additional work at Warfield Park Community Center. (Also see Item M-12 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-1496 from City Manager.

Change Order No. 4 – H. L. Pruitt Corporation – Project 10000 - Executive Airport Airfield Electrical, Lighting and Signage Rehabilitation(M-14)

A motion authorizing the proper City officials to execute Change Order No. 4 with H. L. Pruitt Corporation in the amount of \$236,872 for additional electrical, lighting and signage upgrades to Executive Airport's system.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-1500 from City Manager.

Task Order – Keith and Schnars (Professional General/ Civil Engineering Consultant Services) – Project 10247 - N.E. 33 Avenue/Dolphin Isles Neighborhood Improvement Project(M-15)

A motion authorizing the proper City officials to execute a task order with Keith and Schnars in the amount of \$118,820 for the N.E. 33 Avenue/Dolphin Isles Neighborhood improvement project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1498 from City Manager.

**Task Order No. 6 – Westin Engineering –
Project 00260 – Water and Wastewater Treatment Facilities Security System (M-16)**

A motion authorizing the proper City officials to execute Task Order No. 6 with Westin Engineering in the amount of \$275,818 to conduct a needs assessment and design an integrated facilities security system for the City's water and wastewater treatment facilities.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1584 from City Manager.

**Contract Award – Frank Hill Construction, Inc. –
Project 10182-A – War Memorial Auditorium Service Door Replacement(M-17)**

A motion authorizing the proper City officials to execute an agreement with Frank Hill Construction, Inc. in the amount of \$36,360 for the War Memorial Auditorium service door replacement.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-1494 from City Manager.

**Change Order No. 1 – Recreational Design and
Construction, Inc. – Project 10337 – Lauderdale Manors Recreation Center(M-18)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Recreational Design and Construction, Inc. in the amount of \$382,286 for additional work at the Lauderdale Manors Recreation Center.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-1504 from City Manager.

PURCHASING AGENDA

FY 2001-02 Supplemental Fleet Plan..... (Pur-1)

An agreement to purchase 8 vehicles and equipment for FY 2001-02 Supplemental Fleet Plan is being presented for approval by the Administrative Services, Fleet Services Division.

Amount: \$ 309,500.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1440 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve Supplemental Fleet Plan for fiscal year 2001-02.

Sale 329-8584 – Prior Approval for Confiscated/Surplus Vehicle and Equipment Auction (Pur-2)

Prior approval of sale for any item that exceeds \$25,000 at the confiscated/surplus vehicle and equipment auction is being presented for approval by various departments.

Amount: N/A
Bids Solicited/Rec'd: N/A
Exhibits: Exhibit A, list of confiscated and surplus vehicles

The Purchasing Division recommends to approve public auction sale to be held on December 5, 2001.

Bid 312-8559 – Beach Scraper (Pur-3)

An agreement to purchase beach scraper is being presented for approval by the Administrative Services, Fleet Services Division.

Low Responsible Bidder: Nortrax Equipment Company
Pompano Beach, FL
Amount: \$ 11,860.00
Bids Solicited/Rec'd: 8/1 with 1 no bid
Exhibits: Memorandum No. 01-1554 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to single responsive and responsible bidder.

Prop – Annual Support INFORMIX Database Software(Pur-4)

An agreement to purchase annual support INFORMIX database software is being presented for approval by the Administrative Services Information Technology Division.

Low Responsible Bidder: IBM Corporation
Menlo Park, CA
Amount: \$ 99,059.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1537 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Prop – SunGard Annual Software Support and Maintenance(Pur-5)

An agreement to purchase annual software support and maintenance is being presented for approval by the Administrative Services Information Technology Division.

Low Responsible Bidders: SunGard Pentatmaton
Bethlehem, PA
Amount: \$ 22,902.00 (not to exceed)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1536 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

RFP 512-8544 – Laser check printing & positive pay software(Pur-6)

An agreement to purchase laser check printing and positive pay software is being presented for approval by the Administrative Services Information Technology Division.

Low Responsible Bidder: Westcorp/FIWare Software Systems, Inc.
Norcross, GA
Amount: \$ 39,800.00 (estimated)
Bids Solicited/Rec'd: 11/4 with 2 no bid
Exhibits: Memorandum No. 01-1565 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to first ranked proposer.

Prop – On-Site Training for ArcSDE GIS Software(Pur-7)

An agreement to purchase on-site training for ArcSDE GIS software is being presented for approval by the Administrative Services Information Technology Division.

Low Responsible Bidders: Environmental Systems Research Institute, Inc.
(ESRI)
Redlands, CA
Amount: \$ 13,750.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1538 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Prop – Public Safety Networking Equipment Maintenance(Pur-8)

An agreement to purchase public safety networking equipment maintenance is being presented for approval by the Police Department.

Low Responsible Bidders: Unisys Corp.
Atlanta, GA
Amount: \$ 112,490.16
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1524 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Prop – Telephone System for Credit Union Building(Pur-9)

An agreement to purchase a telephone system for the Credit Union building is being presented for approval by the Administrative Services Information Technology Division.

Low Responsible Bidders: Nextira Corporation
Fort Lauderdale, FL
Amount: \$ 29,157.00 (estimated-not to exceed)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1464 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase with transfer of \$29,157 from General Fund Contingencies to Administrative Services Communications Equipment (ADM020403-6401).

Bid 562-7475 – Renew Employment Practices Liability Insurance (Pur-10)

An agreement for a one-year renewal of insurance coverage for employment practices liability is being presented for approval by the Finance, Risk Management Division.

Low Responsible Bidder: Arthur J. Gallagher & Co. of Miami
Miami, FL
Amount: \$ 380,000.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-1574 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve renewal of insurance coverage.

Bid 722-8551 – Two-Year Contract for Softball Umpiring Services (Pur-11)

A two-year contract for softball umpiring services is being presented for approval by the Parks & Recreation Department.

Low Responsible Bidder: Mills Pond Umpires Assoc., Inc.
Fort Lauderdale, FL
Amount: \$ 80,000.00 (estimated annual total)
Bids Solicited/Rec'd: 7/1
Exhibits: Memorandum No. 01-1469 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to single responsive and responsible bidder.

Bid 722-8546 – One-Year Contract for Golf Cart Rentals (Pur-12)

A one-year contract for golf cart rentals is being presented for approval by the Parks & Recreation Department.

Low Responsible Bidder: Nasrep Leasing, Inc.
Dania, FL
Amount: \$ 12,000.00 (estimated)
Bids Solicited/Rec'd: 6/2 with 1 no bid
Exhibits: Memorandum No. 01-1557 from City Manager

The Purchasing Division recommends award to single responsive and responsible bidder.

Mayor Naugle announced that Consent Agenda **Item No. M-7** had been deleted from the Agenda and would not be heard this evening.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-8, M-10, M-11, M-16 and M-18 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Budget Amendment for Fiscal Year 2001/2002 (M-8)

Commissioner Katz said she shared the concern of the Budget Advisory Board as to the Capital Improvements Program (CIP). Although it had been explained that \$500,000 was being put into a different fund and everything would be included in the Recapitalization Fund, she was concerned the CIP would be cleaned out, leaving nothing for different needs in the future. Mr. Terry Sharp, Assistant Director of Finance, explained that the \$500,000 that had concerned the Board would be kept in a reserve fund. It had not been programmed for any current or proposed CIP projects scheduled for discussion today. He said this would not have any impact on any planned project.

Commissioner Katz understood it was in a reserve fund and would be transferred to the General Fund by virtue of this budget amendment. She was concerned that no monies were being built up in the CIP to address future needs. Mr. Sharp explained that this money had come from a cash reserve resulting from the sale of some excise bonds, which had been replaced with an insurance policy. He stated that a reserve in the CIP had not really been building up and tried to make the best use of money available at any one time. Commissioner Katz was concerned about three or four years into the future.

The City Manager explained that a CIP Plan was approved each year, and the funding level had been consistent at about \$4.5 million. Today, the Commission would be asked to consider an accelerated CIP Plan, so the hope was to accomplish more earlier by bonding this amount. He stated that this \$500,000 transfer would not be permanent as, in future fiscal years, staff would ask the Commission to budget the CIP at appropriate levels, and he hoped similar transfers would not have to be repeated in subsequent years.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-8 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore and Hutchinson. NAYS: Mayor Naugle.

Transfer from General Fund Contingencies and Acceptance of Contribution from The Stranahan House – Expenses for the Acquisition of the Hyde Park Market Property (M-10)

Commissioner Moore said he had pulled this item so that he could register a negative vote.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve Consent Agenda Item No. M-10 as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: Commissioner Moore.

**Change Order No. 1 – AKA Services Inc. – Project 9393 –
Utilities Replacement at Cordova Road/Lauderdale Harbours Area (M-11)**

Commissioner Moore requested clarification on the reasons for this \$73,000 Change Order. He asked if something had been found after the work had been started. Mr. Paul Bohlander, Assistant City Engineer, explained that this involved a \$3 million project, and it was typical to encounter unanticipated conflicts during the course of projects of this size. In addition, quantities could only be estimated in advance. He noted that this represented about 2.25% of the contract total.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-11 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Task Order No. 6 – Westin Engineering – Project 00260 –
Water and Wastewater Treatment Facilities Security System (M-16)**

Commissioner Katz wondered why \$250,000 was necessary for this particular security system when the police might be able to provide it. Mr. Frank Coulter, Public Services Department, explained that the Water & Sewer Master Plan would have addressed many of security issues over the next ten years as various plants were rehabilitated. However, due to recent events, staff felt it would be prudent to move ahead with the security issues earlier. Mr. Coulter stated that Public Services did not have security experts on staff, and the engineers would provide the necessary specifications. He added that although the Police Department was preparing a report about the types of security measures that should be taken, it would not address the types of cameras that would be needed or how they should be installed, for example. Further, staff wanted to ensure that equipment installed now would be useful and compatible in the future.

Commissioner Smith thought \$250,000 had seemed very expensive just for specifications, and it had not been bid. Mr. Coulter advised that the consultant had been selected through the competitive bid process. Commissioner Smith asked if this particular security component could be bid separately from the overall consultant contract. Mr. Coulter thought it was possible that a lower price might be obtained, but it could not be done in a timely fashion, and the intent was to make sure everything “fit in” with the rest of the Master Plan.

Commissioner Smith wondered how much the security system itself would cost. Mr. Coulter did not know, although he was sure it would not be inexpensive. Mr. Greg Kisela, Assistant City Manager, anticipated a cost in the seven figures to retrofit the three plants and the wellfields. He acknowledged that this was a lot of money, but it was essential that this equipment would interface into other very sophisticated systems. Mayor Naugle added that this was more than just some cameras. He explained that it included card-readers, motion detectors, intrusion detection switches, and a comprehensive system for a large facility.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that Consent Agenda Item No. M-16 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Changer Order No. 1 – Recreational Design & Construction, Inc. –
Project 10337 – Lauderdale Manors Recreation Center (M-18)**

Commissioner Katz wondered why this had not been included in the original plan. Secondly, when she did the math, it came to about \$198 per square foot for the renovation compared to much less with the second change order. Mr. Pete Sheridan, Engineering Division, said this had not been included initially because sufficient funds had not been available. He explained that nothing more than rehabilitation of the existing facility had been planned originally, and staff was researching funding sources to expand this into a new facility to meet the needs of the community.

Mr. Sheridan stated that this type of renovation was fairly costly. In this case, it would be less expensive per square foot to demolish the building and construct a new one because it involved something of a gymnasium type of design. Commissioner Katz believed the “blended” cost per square foot was about \$140. Mr. Sheridan thought it was actually \$167 per square foot, including design and construction. It did not, however, include any furnishings. He said that construction costs alone of \$150 per square foot were not unusual.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-18 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Task Order – Keith & Schnars (Professional General/Civil
Engineering Consultant Services) – Project 10247 – Northeast 33rd
Avenue/Dolphin Isles Neighborhood Improvement Project (M-15)**

Although this item had been approved under the Consent Agenda, Commissioner Smith wanted to assure everyone that this did not set rates for assessment, which would be discussed at a future public hearing.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**Settlement of Workers Compensation Claim File
Nos. WC-97-9302, WC-98-9897 and WC-99-10016 (Michael G. Smith) (M-19)**

A motion was presented authorizing the settlement of Workers Compensation Claim File Nos. WC-97-9302, WC-98-9897 and WC-99-10016 (Michael G. Smith) in the amount of \$38,500.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to authorize the settlement of Workers Compensation Claim File Nos. WC-97-9302, WC-98-9897 and WC-99-10016 (Michael G. Smith) in the amount of \$38,500. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Appeal of Planning and Zoning Board Decision Denying
Right-of-Way Vacations – Portions of Southeast 2nd Avenue,
Southeast 1st Avenue, Southwest 7th Street, Southeast 6th
Court, and Southeast 3rd Avenue – E. Fredrico Fazio
(PZ Case Nos. 14-P-01, 15-P-01, 17-P-01, 19-P-01 and 20-P-01).....(PH-1)**

At the Planning and Zoning regular meeting of August 15, 2001, the following application was **denied** by a vote of 1 to 6. Notice of the public hearing was published on September 20 and 27, 2001, and October 4 and 11, 2001.

Applicant: E. Fredrico Fazio
Request: Vacate rights-of-way
Location: Various (see below)

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer first reading of PZ Case Nos. 14-P-01, 15-P-01, 17-P-01, 19-P-01 and 20-P-01 to November 6, 2001 at 6:00 p.m. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Katz.

Mayor Naugle announced that Items **PH-2 and PH-3** had been withdrawn from the agenda.

**Cable Television Franchise – District Cablevision
Limited Partnership (d/b/a AT&T Broadband) – Cable Services for the City (PH-4)**

A public hearing was scheduled to consider an ordinance granting District Cablevision Limited Partnership (d/b/a AT&T Broadband) the non-exclusive renewed franchise to provide cable services in the City; and, further authorizing the proper City officials to execute a franchise agreement and memorandum of understanding setting forth the terms and conditions of its franchise. Notice of the public hearing was published on October 4 and 11, 2001.

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Bruce Larkin, Director of Administrative Services, introduced *Mr. Adrian Herbst*, the consultant on cable and telecommunications issues. Mr. Larkin said that two agreements were being presented, which constituted a package settlement resolving a variety of issues and differences between the City and AT&T Broadband. Specifically, there was a franchise agreement to replace an antiquated agreement dating back to 1978. He explained that agreement had been scheduled to expire in June, 2000, but it had been extended for several reasons to allow the transfer of the cable system from Comcast to AT&T, and also to allow opportunities to negotiate a successor agreement.

Mr. Larkin said the new franchise agreement contained a number of features and improvements, and called for an accelerated cable system upgrade in order to obtain the competitive Broadband services desired in Fort Lauderdale, such as telephony and high speed Internet access. He stated that the previous agreement had called for the upgrade to begin no later than December 31, 2002, but the new agreement allowed it to start in June, 2002. That upgrade would take approximately 24 months, and Mr. Larkin stated that the agreement also called for \$230,000 over four years for public education and governmental programming efforts.

Mr. Larkin reported that the law was somewhat unclear as to whether or not cable Internet service could be required by the franchise agreement. In this agreement, there was a provision that if the company did not voluntarily deploy high-speed cable Internet service at the completion of the system upgrade, the term of the franchise could be canceled, and the formal renewal process triggered under federal law. He described the process, which involved an evidentiary hearing before the Commission, which could then require the service. If it was still not provided, there was a federal process involving an administrative hearing officer and, ultimately, Federal District Courts.

Mr. Larkin said the franchise required a security fund of \$50,000, performance bonds, and numerous other features such as defining many unwritten provisions that had developed over the years. Those provisions included in-kind services such as broadcasting the Commission and advisory board meetings, and providing studio time for the production of public programming.

Mr. Larkin stated that the second issue before the Commission involved authorizing City staff to enter into a Memorandum of Understanding in settlement of the dispute with AT&T over past customer service matters. He said that this would call for the company to provide the Fox News Network within 30 days of the agreement, along with numerous payments, including a \$25,000 payment in the name of the City to the United Way Diversity Venture Fund; a \$25,000 payment to the City for use as directed by the Commission; \$25,000 worth of promotional advertising time; and, \$25,000 in advertising slots over a 12-month period for public service announcements.

Mr. Larkin advised that staff and the consultant recommended approval of these agreements. He added that *Ms. Susan Bisno*, of AT&T, and *Mr. Thomas Carlock*, Vice-President of Franchising and Government Affairs in the Eastern United States for AT&T, were present at this meeting.

Mr. Michael Kasten, 1409 Northeast 16th Court, said he had not had cable for the past two years, and the satellite service was wonderful. He understood the City's "hands were tied," but the citizens' hands were not, and competition ruled. Mr. Kasten hoped the Commission would continue to seek a way for these meetings to be broadcast for satellite customers.

Mr. John Aurelius said that he had cable, but he did not receive Channel 38. He had not reported it, but there were many people in the northeast area that did not receive it, so he hoped that problem would be corrected. Further, if the signal was not strong enough, people received distorted images. Mr. Aurelius understood that if the Commission supported this agreement, the City would be receiving certain monies. He suggested that some of it be spent to improve George English Park since the neighborhood had only received half what had been promised in connection with the bond issue.

Mr. Jim Perry, of Southwest 8th Terrace, advised that he had enjoyed Comcast and AT&T Broadband, and he hoped for a positive approach because he would like to receive the Fox Network, and he preferred an alternative to the liberal media. Other than that, he had no complaints.

Ms. Susannah Gazige, 1313 Northeast 5th Terrace, said she had written "nasty" notes to AT&T because of problems with customer service. She explained that she had not received her bill on several occasions, and then she had received notices of late payments, resulting in spending a

long time waiting on the telephone to straighten it out. Ms. Gazige was hoping there would be some competition or else she would have to go to a satellite system.

Mr. Johnny Crawford, 1113 Northeast 16th Street, felt that prices kept going up, but his viewing pleasure just stayed the same. He noted that the one could view the same programs on three or four stations, and if he was going to pay more, he would like more variety.

Mr. Art Seitz, 1905 North Atlantic Boulevard, felt people had to hold on the phone too long to reach someone at the cable company if there was a problem, and he felt there was too much commercial “garbage” on too many channels. He also thought there was insufficient local news coverage and City coverage. Mr. Seitz felt that if the City was going to receive monies, it should be spent on recreational facilities in the beach area where there was not so much as a swing or a sandbox for children. Mayor Naugle pointed out that there was a park facility at the Alhambra and at South Beach. Mr. Seitz said there was nothing between the Hall of Fame and Lauderdale-by-the-Sea.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Smith wondered why staff and the consultant would recommend a ten-year contract under the circumstances. He thought everyone in the room had probably had to hold for 30 minutes or longer to reach someone at the cable company only to receive surly treatment and double bills. Commissioner Smith was sure there was a good answer.

Mr. Larkin explained that with respect to cable franchises, the City had to operate within parameters established by the federal government. He said that the City’s “hands were somewhat tied” in the renewal of franchises as there was a presumption that the franchise should be renewed unless there were very egregious issues – issues that went beyond anything Fort Lauderdale had experienced, despite some difficult customer service matters. Mr. Larkin said that staff had negotiated the best deal possible within the federal parameters in order to get the most value.

Mr. Larkin said that a ten-year term was typical in such franchises nationwide. He explained that when a company made investment of tens of millions of dollars to upgrade a system, it wanted some assurance that they would have sufficient term over which to amortize the investment. He noted that the company had committed to providing the upgrade more quickly than originally agreed.

Commissioner Smith understood the City basically had very little choice because it was regulated by the federal government. He believed that if the franchise were denied, the City would probably be sued and would probably lose. Commissioner Smith felt this contract would at least provide a basis to fine the company for problems in a larger fashion. Further, even if the City won a suit, there was no other competition, and the citizens would have no cable service.

Mr. Herbst was somewhat uncomfortable recommending approval of this agreement with all the anxiety that had been experienced over the past year. However, he believed AT&T had heard the message, and he thought the company might have “bitten off a little more than it could chew” at the beginning by taking on such a massive merger. Mr. Herbst pointed out that AT&T was in the business of customer service, and he felt something should be done about it.

Mr. Herbst felt this franchise provided a process that would bring about a resolution of the problems experienced in the past. He stated that the burden would be on AT&T to prove it could provide good customer service or substantial fines could be imposed. Mr. Herbst advised that enforcement mechanisms built into this franchise were as strong as any he had ever seen in the country. He noted that high speed Internet access had been another problem, and a strong incentive had been provided in this franchise in that the term could be reduced from ten years to four years if the company did not perform in this respect.

Mr. Herbst felt the Commission had delivered the message, and the franchise contained the tools necessary to address such problems in the future. He also thought the agreement contained the necessary incentives for the company to meet future goals.

Commissioner Katz asked who exactly determined when a fine would be imposed for non-compliance. Mr. Larkin replied that the franchise contained specific language indicating that the upgrade must begin no later than June 30, 2002. Prior to that time, staff would meet with company representatives about how it planned to go about meeting that requirement, and the construction had to be completed by June 30, 2004 throughout the entire City. In addition, the regulatory ordinance approved this summer called for fines of \$2,500 per day for failure to conform with the schedule.

Commissioner Katz inquired about the performance bond. Mr. Larkin stated that a \$200,000 bond was required, and that was to ensure faithful performance under the terms and conditions of the agreement. Therefore, in the course of the upgrade, if issues arose or property was damaged, the City could go to the performance bond.

Commissioner Katz understood that when cable service went out in an area, people did not receive a response if they complained at night. She wondered if AT&T could at least provide a recording indicating that there was an outage in the area so people would not sit on the phone for 40 minutes only to learn that service in the entire area was out. Ms. Bisno said she would confirm it, but she believed that recording was operational now.

Commissioner Katz asked if rates would be increased. Ms. Bisno did not know of a rate increase scheduled for this year, although increases were inevitable. She advised that the last increase had been in July, and the company tried to deal with increases no more often than annually. Commissioner Katz was concerned that rates would be increased to offset the monies that would be paid to the City in connection with this agreement. Ms. Bisno assured her that there would be no rate increase to fund the contribution to the City.

Commissioner Moore thought some effort had been made to address many of the issues raised in this regard in the past. However, a recent newspaper article had indicated that there could be a rate increase in rates to cover the cost of any penalties imposed for failure to perform. Mr. Larkin believed the newspaper had been referring to the \$230,000 for public education and governmental programming over four years. He explained that federal law allowed cable companies to pass that cost on to their customers. In this agreement, the payment to the City was over the four-year period, and any pass through to customers could not exceed \$.10 per month per subscriber.

Commissioner Moore asked Mr. Carlock if AT&T would be increasing rates by \$.10 per month per subscriber. Mr. Carlock stated that there would ultimately be a pass through for the governmental programming, but none of the other contributions would be passed through to customers. He acknowledged that it had been a difficult summer for everyone. Mayor Naugle understood there would not be another rate increase for a year. Mr. Carlock clarified that he was not aware of any increases scheduled in this calendar year, but he could not address what might occur next year as the budget process was going on.

Commissioner Moore noted there had been a discussion about annexed areas a few weeks ago. He asked about the availability of the services in these areas. Mr. Carlock said he was aware of one neighborhood that had recently been annexed, Golden Heights, and improvements would be made to allow live feeds as opposed to taped broadcasts being provided now.

Commissioner Moore understood the entire City would have high speed Internet access. Mr. Carlock advised that the service would be launched in phases, but it would be brought in throughout the community. He noted it was in AT&T's best interests to make these products available.

Commissioner Moore understood there would be a \$50,000 pool of money from which to draw down fines. Mr. Larkin agreed a security fund would be provided. Commissioner Moore thought that amount should be increased because he did not believe that would be adequate as it would only cover 40 days worth of fines. Mayor Naugle agreed and suggested a security fund of \$200,000, particularly since \$50,000 would not even cover the fines that had already been assessed. Commissioner Moore asked how much in fines had accrued thus far.

Mr. Larkin said that the franchise provided that as the security fund was drawn down, it would be replenished in an amount that would restore it to the original amount within 30 days. As to the fines, the current amount of potential fines was \$174,100 for the notice of violation already issued. Commissioner Moore said he would be willing to support a compromise security bond amount of \$150,000. Commissioner Hutchinson felt \$200,000 would be more appropriate. Commissioner Smith suggested \$175,000.

Mr. Carlock felt a \$175,000 security bond could be provided in light of the difficulties experienced over the summer. He did want to remind the Commission that a commitment had been made to bring new services into the community sooner. Commissioner Moore was glad AT&T had heard the community's desires. He understood \$25,000 would be donated to the United Way in the name of the City for the Diversity Venture Fund. In addition, \$25,000 would be provided for commercial spots selected by the City. Mr. Larkin agreed that was correct. There would also be another \$25,000 worth of advertising over the next 3 months to promote the City's contribution to the Diversity Venture Fund, and a \$25,000 cash payment to the City to be used as directed by the Commission.

Commissioner Moore suggested that the \$25,000 cash payment be increased to \$30,000, with \$5,000 going to each district and \$10,000 going to the Mayor. He thought the monies could be used to assist civic associations with capital improvements or to help non-profit organizations that were trying to do something for the community. Mr. Carlock thought AT&T could increase the amount to \$30,000.

Commissioner Moore asked if AT&T was planning to acquire any other cable companies. Mr. Carlock was not aware of any plans to expand or acquire other cable systems other than a small system to fill in a pocket. Commissioner Moore asked if AT&T had to notify the City if it planned any acquisitions. Mr. Herbst said the agreement required presentations on a periodic basis about what AT&T was doing with respect to technology and acquisition, but immediate notice was not required. Mr. Carlock stated that any expansion plans would not be done at the expense of the City. Commissioner Moore wanted to be made aware of expansions or improvements as soon as possible.

Commissioner Moore stated that the Broward League of Cities had been working on how municipalities could be more competitive in terms of cable services. He asked if this agreement would compromise the discussions with the other cities in Broward County. Mr. Larkin replied it would not do so in any way.

Commissioner Hutchinson said that residents of her district were not interested in cable any longer. In fact, she had received 7 calls about poor service within the last few days. She felt one person on hold for 40 minutes was one person too many, and one person had been told they had no choice. She asked if this new franchise would make the situation any better. Mr. Herbst believed the combination of this franchise and the ordinance would improve the situation. He believed AT&T had heard the City's message, although it was unfortunate that Commissioner Hutchinson was continuing to receive complaints. It was his understanding that the number of complaints to the City had been dramatically reduced.

Mr. Larkin agreed with Mr. Herbst that this agreement and the ordinance would provide better tools. He said he would like to follow-up on the complaints that had been lodged with Commissioner Hutchinson. Commissioner Hutchinson asked if the Commission meetings could be rebroadcast at a time other than Friday mornings when people were working. Mr. Larkin replied that some equipment was going to be installed at City Hall that would allow rebroadcast of the meetings when the City wished.

Commissioner Smith wondered what could be done about those who had satellite service but could not receive Channel 38. Mr. Larkin explained that satellite laws differed from cable laws, but staff would be working with satellite providers. He was hopeful that some governmental broadcasts could be provided through satellites.

Mayor Naugle did not feel there was anything in this agreement that had not been agreed to previously and which had not been fulfilled. He pointed out that high speed Internet access had been promised in 1998, and he did not know why the City did not simply sue for enforcement of the past contract and memorandum of understanding. Mayor Naugle did not feel that providing ad slots that cost the company nothing and settling \$200,000 in fines for \$30,000 was appropriate.

Mayor Naugle believed the number of complaints had been reduced because people had just given up on complaining because they could not stay on the phone. He had seen no improvement, and he continued to receive complaints. In fact, he had turned in a complaint about people in District 1 who were not receiving Channel 38, and he had not even had a response in a month. Mayor Naugle knew this company was for sale, and he did not know if the purchaser would honor the agreement any more than AT&T had honored the promises made by Comcast. He did not think this was a good deal and preferred to enforce the previous contracts. He also thought that if AT&T would treat the City this badly before the franchise was renewed, the situation would only get worse afterwards.

Commissioner Moore understood fines of \$2,500 per day could not be imposed unless this contract was executed. Mr. Larkin stated that those fines were part of the existing cable ordinance, and they applied to upgrade or construction issues. He said that changes to other fines in the cable ordinance would be considered later today. Commissioner Moore understood the fines would be substantially increased, and Mr. Larkin agreed that was correct. Commissioner Moore pointed out that the security fund would be increased to \$175,000, and he asked if there was any provision in the contract that would bind any future owner of the company. Mr. Larkin replied that if there was a transfer of ownership, the company that acquired it would have to honor any and all agreements.

Mayor Naugle asked if there was an appeal process should fines be assessed. Mr. Larkin replied that there was an elaborate due process involved. Prior to fines being imposed, the company would be allowed time to resolve a problem. If fines were imposed, there was a dispute resolution process. Beyond that, the company had 30 days to respond to a fine order, and there could be a hearing before the City Commission. Unresolved issues could ultimately reach the Circuit Courts, but there was a very detailed process for the imposition of fines. Mayor Naugle understood that if fines were assessed, the City could not just take the money from an account. Mr. Larkin said that if fines were not paid by the company, the City could withdraw the money from the security fund.

Commissioner Smith introduced the following ordinance, as amended, on first reading:

ORDINANCE NO. C-01-

AN ORDINANCE PURSUANT TO SECTIONS 8.15 THROUGH 8.19 OF THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE RENEWAL OF A CABLE SERVICES FRANCHISE WITH DISTRICT CABLEVISION LIMITED PARTNERSHIP, D/B/A AT&T BROADBAND, THE HOLDER OF A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM OVER AND BENEATH THE PUBLIC STREETS AND OTHER PROPERTY OF THE CITY OF FORT LAUDERDALE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CABLE SERVICES FRANCHISE AGREEMENT WITH DISTRICT CABLEVISION LIMITED PARTNERSHIP; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF AGREEMENT WITH DISTRICT CABLEVISION LIMITED PARTNERSHIP PROVIDING FOR ADDITIONAL TERMS AND CONDITIONS TO EFFECTUATE THE RENEWAL OF THE FRANCHISE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz and Moore. NAYS: Commissioners Smith, Hutchinson, and Mayor Naugle.

**Proposal – Convert from Temporary to
Permanent Existing Road Closures in the Lake Ridge,
Middle River Terrace, and South Middle River Neighborhoods.....(PH-5)**

A public hearing was scheduled to consider a proposal to convert from temporary to permanent 24 road closures in the Lake Ridge, Middle River Terrace, and South Middle River Neighborhoods, and to install a new, permanent closure on N.W. 6 Avenue, north of Sunrise Boulevard. Notice of the public hearing was published on October 3 and 12, 2001.

At 7:47 P.M., Commissioner Hutchinson left the meeting. She returned at 7:49 P.M.

Mr. Peter Partington, Engineering Division, explained that the Commission had decided to hold one hearing about the temporary crime prevention closures in the three subject neighborhoods. He stated that there were 15 closures in the Lake Ridge neighborhood. In Middle River Terrace, there were 4 temporary closures, and there was a permanent closure at 5th Terrace. He said that there were 5 existing temporary closures in the South Middle River neighborhood, and another was requested on Northwest 6th Avenue. Mr. Partington said the proposal in that case was that this be installed as a permanent closure straight away.

Mr. Partington recalled that the City Commission had decided to make up to \$3,500 available for closures if and when temporary closures were made permanent. He said that the closures were comparable to the closure at Northeast 5th Terrace in Middle River Terrace, but one possible alteration was to use xeriscaping without irrigation. Mr. Partington noted that the Commission had also agreed with the principle that there be no access through permanent closure, but the City had probably spent more than \$30,000 on the flexible stakes that allowed emergency access through the existing temporary closures.

Mr. Partington said that the neighborhoods viewed the temporary closures as having had a very positive effect on crime. Therefore, they wished to maintain the closures and strengthen that effect. If the closures were made permanent without emergency vehicle access, the Police Chief felt it could negatively affect the apprehension of suspects who fled on foot. However, the Police Chief was confident that police officers would be able to adapt to the closures once they became familiar.

Mr. Partington stated that the Fire Chief had pointed out that any street closure had the potential for increasing response time, and staff was still concerned about the ability of large vehicles to turn around at closures and having to back up with accident potential. Insofar as sanitation vehicles were concerned, drivers were asked not to back up if possible. He stated that if closures were installed without access, the issue could be resolved by assigning a "spotter" to the sanitation vehicles, but there would be a cost. Therefore, staff recommended that some form of gate be installed in each closure that could be operated by police, fire and sanitation personnel. He added that would not address problems with all large vehicles.

Mr. Partington said the Commission was being asked, in principle, to approve making the closures permanent. He suggested that the details of exactly where the closures would be placed to the staff, but the principle would be to make the closures permanent basically in the positions of the temporary closures. Mr. Partington said that in the case of Lake Ridge, there was a block between 11th and 12th Avenues that was zoned B-1 and extended deeper than the adjoining lots. He stated that the property owner was concerned that a permanent closure would affect potential redevelopment of the site and had requested that the closures on 11th and 12th Avenues remain temporary.

Mr. Partington said that the closure on 16th Avenue had been temporary in the nature of a gate, and the commercial property owners in that area were asking that the gate be maintained. He advised that those property owners had agreed to open the gate in the morning and close it in the evening, which was how things had been handled there to date. On Northeast 6th Avenue in Middle River Terrace, the property owner was asking that a gate be installed as they were concerned about ability to service the site with large vehicles. In that case, the owner would be able to operate the gate. It was his understanding that the Middle River Terrace Civic Association was amenable to the suggestion if the owner paid for the closure and oversaw operation of the gate.

In the case of South Middle River, Mr. Partington reported that there had been discussion about relocating the closures to the north end of the first block at 11th Street in order to facilitate redevelopment. At this time, he suggested installation of permanent closures where the temporary closures were located. He said that if the Commission agreed with that suggestion, staff recommended bidding the work or the neighborhood could obtain a contractor, and the City could issue a no-fee permit when the design details were finalized.

Mr. Partington recommended that 22 closures be made permanent, with the closures on Northeast 11th and 12th Avenues remaining as temporary closures. In addition, it was suggested that the closure at Northeast 16th and 6th Avenue have a gate that could be operated by the adjoining property owners. Staff also recommended a new permanent closure at Northwest 6th Avenue, north of Sunrise Boulevard. Further, Mr. Partington recommended that \$3,500 be made available for each closure from the Capital Improvements Program (CIP) for Traffic Planning and Enhancement Projects.

Mayor Naugle asked if the City had to obtain the permission of the adjoining property owners for the closures. Mr. Partington replied that it was not required, although staff had attempted to work with adjoining property owners. He had found that they had been agreeable, with a few exceptions. Mayor Naugle asked if that was the reason why Mr. Partington wanted to remain flexible in the specific locations. Mr. Partington agreed that was correct.

Commissioner Smith believed the gate on 6th Avenue in Middle River Terrace had been approved by the Association. In Lake Ridge, he believed that Association had approved the gate on 16th Avenue. Commissioner Smith had learned last night that the owner of about two blocks between Northeast 17th Terrace and 17th Way had plans for new townhomes in that area. That owner wanted the closures in that area delayed so he could install something that would complement the project. In case the project did not go forward for some reason, the owner had agreed to place \$10,000 in escrow to fund the closures at a later date.

Ms. Ruth Chaner, 1205 Northwest 4th Avenue, said she was aware of drug dealing going on constantly. She had objected when the closure had first been installed temporarily, and it had only made the drug dealing worse. Ms. Chaner stated that there were “bad guys” on the streets early in the morning and late at night. They were many and bold, and they gathered at the intersections to sell drugs. Ms. Chaner advised that they all rode bikes, and she had called the police many times. She thought more police presence was in order, but she felt the street closures just gave the appearance of a high-crime area.

Mr. Sam Kirschner, agent for Mr. Bert Wohl, explained that Flagler Drive had once served as the entry to the rear of a property he was representing. He stated that the patrons had to drive two blocks past and then make a u-turn in order to patronize the stores in the area because of the closures. Mr. Kirschner said the area was primarily non-residential, and he did not feel the temporary barriers provided any protection. He later submitted a copy of his verbatim remarks for the record.

Mr. Fenel Antoine felt the City should be tougher on drug dealers, and he represented a church that did not support the closure on Northwest 6th Avenue. He did not feel the closures prevented drug sales, and he hoped the Commission would not close 6th Avenue.

Mr. John Waters lived at 16th Avenue and 11th Street in Lake Ridge, and he had objected to the closures from the start. He stated that the gate on 16th Avenue had not been there for several months as it had been destroyed some time ago, so the gate had not been closed for a least 2 or 3 months. He understood the purpose of the closures had been to prevent crime rather than to prevent traffic, and he did not think they helped because the people on bikes were always there when he came home from work at night. Mr. Waters believed that if the crime rate in the area had gone down, it was because it had gone down nationally and locally. He felt there should be eastern access to the neighborhood, and he thought it was a waste of money.

Mr. Johnny Crawford, 1113 Northeast 16th Street, felt that closing streets involved taking land from the public domain and dividing it for private use. He felt this was a “de facto land grab.” Mayor Naugle thought that might be the case if the public could not travel on either side of the closures, it was still open to the public.

Ms. Angela Robbins, 1122 Northeast 6th Avenue, referred to the gate she hoped the Commission would approve at the end of Northeast 6th Avenue at 11th Street. She was representing the business owners along 6th Avenue, who all supported this proposal. Ms. Robbins stated that her company and another were willing to pay any additional cost for a gate enclosure instead of a typical permanent closure so 6th Avenue could be used during the day because it was the main street to the businesses. Ms. Robbins felt there was a safety issue related to the large dump trucks that were utilized in the area.

Ms. Susan Lavery said she owned a lot of property on Northeast 11th Avenue in Lake Ridge. She liked her closure and wanted it made permanent. Ms. Lavery realized Mr. Gaddis owned commercial property across the street, but it had frontage on Sunrise Boulevard. She added that the private sanitation vehicles never crossed the temporary barricade, and the Fire Department also entered the neighborhood via 13th Street.

Mr. Mike Green, resident of 11th Avenue, said his only opposition was to the barricade on 11th Avenue remaining in a temporary configuration. He felt it should be made permanent, and he thought the closures had helped improve the traffic and crime situations.

Mr. Steven Gomez, 1113 Northeast 11th Avenue, supported the permanent closures.

Ms. Ness Lowenbeck, a resident of 11th Avenue, also supported a permanent closure on 11th Avenue. She had personally observed commercial vehicles crossing over the temporary closures.

Mr. Felix Dennis, 1108 Northwest 9th Avenue, said that there had been problems with the temporary closures, and he wondered if there were not other alternatives to fight crime. For example, he wondered if a police officer could be stationed at each closure to address the drug dealing situations.

Mr. Norman Bardon, 1134 Northeast 5th Terrace, said that he had only one way to reach his home, and the drug trafficking was continuing only on bikes instead of in cars. He felt he was being penalized.

Mr. Steven Lubick pointed out that if one street was closed, the “bad people” just moved to the next street. He felt there should be police officers on the street, and he protected his own property. Mr. Lubick encouraged people not to be afraid of bad people.

Ms. Elaine Dietrich, of 17th Way and 13th Street, said that other than the increased traffic on her street, she felt the closures had been wonderful. She asked if it would be necessary to assess homeowners for the closures. Commissioner Smith replied that no suggestion had been made that any of the homeowners be assessed for the closures, although the neighborhood associations might have to make up the difference between the \$3,500 and the actual cost of each closure.

Mr. Harry McGrotty fully supported the closures in Lake Ridge. He referred to the retention of the closures on 11th and 12th Avenues in temporary configurations. He thought it was interesting that this request had only been presented in the last day or two because the neighborhood had been fighting for these closures for years. Mr. McGrotty believed Mr. Gaddis wanted the closures to be temporary so he could redevelop his property and bring even more traffic into the neighborhood. He felt the closures should be made permanent immediately.

Mr. John Aurelius, on behalf of property owners on 11th and 12th Avenues including Philip Morgaman and Jesse Gaddis, stated that a letter had been delivered earlier today, and the property owner was not opposed to any reasonable measures to protect the area. In fact, the barricades had worked well, and the only request was that the word “permanent” not be placed on these two closures. He believed they would have to be moved back in the future for redevelopment or else traffic would be going into the neighborhood as a result. Mr. Aurelius wanted to work with the Lake Ridge neighborhood, but there was some unique B-1 zoning to consider.

Commissioner Smith understood Mr. Aurelius did not object to the permanent style of closure. Mr. Aurelius agreed that had a much better appearance than the temporary closures, but he did not want it to be referred to as “permanent.” Insofar as the locations of the barricades on 11th and 12th Avenues, he desired some discussion. Mr. Aurelius pointed out that Mr. Gaddis had been great to this community, even having provided a police substation for a very reasonable rental. Mayor Naugle thought more permanent construction had a much better appearance, regardless of what they were called.

Mr. Rixon Rafter, 1118 Northeast 18th Avenue, stated that everyone had been working on this for the last five years, and he expressed appreciation to the Commission and staff. He did not care what the closures were called, whether that be “permanent” or “beautiful temporary,” as long as they were aesthetically pleasing. Mr. Rafter noted that Lake Ridge was seeking 14 closures out of 33 access streets in an area of 15 blocks long and 3 blocks wide. He did not think anything but benefit could be derived by the closures, and he urged the Commission to approve them all.

Mr. Doug Blevins, President of the South Middle River Civic Association, said there were some 50 entry points into the neighborhood with about 20 being main intersections. He stated that a Broward Beautiful grant application had recently been submitted for the landscaping of the road closures, and \$10,000 had been awarded. Mr. Blevins stated that the area fire station was on Powerline Road, and the majority of vehicles accessed the neighborhood on 13th or 16th Streets, so the closures should not affect responses.

Mr. Blevins sympathized with those who were experiencing problems with drug dealers, and he believed it was the east/west traffic on 11th and 12th Avenues that were the major problem. He believed the closures would allow the police to focus more heavily on that area, and the Northwest Raiders would be concentrating on that area. He also recognized the church's concern about 6th Avenue, but that closure had been requested because there was a lot of cut-through traffic. Therefore, he had patrolled residents, and the majority wanted the street closed. Mr. Blevins said there were about 30 churches in the neighborhood, and only one had expressed opposition to the closures. He requested the Commission's support and expressed appreciation for the City's assistance in this regard.

Mr. Paul Hyman, President of the Lake Ridge Civic Association, felt there was a strong correlation between the road closures and improved quality of life. He believed that traffic had decreased, kids were playing outside, and residents were out walking. There were reduced incidents of street crime, and litter and noise had been reduced as well. Mr. Hyman felt the proposed permanent road closures were consistent with the goal of improving the quality of life in neighborhoods.

Mr. Michael Kasten, President of the Poinsettia Heights Civic Association, said he used to date someone in the Lake Ridge neighborhood, and he had been afraid to get out of his car. Now, however, the neighborhood was different. He said that it was a serious inconvenience for him to reach his home with all the street closures, but he did not care. He felt it was worth the inconvenience because it helped further a healthy lifestyle.

Ms. Gail Jacobson explained that her husband was Vice-President of the Lake Ridge Civic Association, and she had seen the neighborhood at its lowest point when they had moved to the area 12 years ago. Now, people had pride in their neighborhood and homes, and property values had risen greatly due to changed traffic patterns resulting from the closures because people trying to avoid Federal Highway and those seeking drugs and prostitutes were no longer going through. Ms. Jacobson urged the Commission to take the next step to ensure the continuing success of Lake Ridge by making the closures permanent and beautiful.

Mr. Tom Peters, a resident of Middle River Terrace, supported making the temporary closures permanent.

Commissioner Smith hoped the Commission would support the proposals, particularly since these three neighborhoods had worked so hard to bring themselves back from the "brink of extinction." He believed the closures did more in terms of crime prevention than anything else, and he thanked staff for its assistance in this regard.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Smith supported the gate at Northeast 6th Avenue. He also supported the idea of making the closure at Northeast 11th Avenue permanent without calling it that so it could be moved in the future if necessary. Commissioner Smith noted that the City could not afford a police officer on every street, and he felt this was the next best thing. He also supported the idea of a gate on 16th Avenue in Lake Ridge.

Mr. Partington advised that his recommendation was that all of the closures have gates to provide emergency vehicle access, although those on 6th and 16th Avenues would include giving the keys to adjoining property owners for operation. Commissioner Smith understood that but disagreed with the recommendation. He pointed out that other communities, particularly throughout western Broward County, had found ways to allow one way in and one way out in order to provide safety. Commissioner Smith asked those in favor of the making the closures permanent to stand up.

Mayor Naugle wondered how the issue of garbage trucks would be handled. He wondered if some of the users could switch to private providers. Commissioner Smith pointed out that Riverside Park had found a way to deal with garbage trucks, and he thought there were a number of places where 3-point turns could be negotiated. He did not think adding spotters was necessary either.

Commissioner Katz was definitely in favor of the closures for safety purposes, but she was concerned about the garbage trucks. She believed spotters would cost thousands of dollars and wondered if there was some other way to address the problem if the neighborhood did not want the gates. Mayor Naugle said that a certain percentage of the City was served with private trucks, and most of them had a driver and a crew member. He suggested that the services be switched with City crews working in other areas and private contractors serving these areas. Commissioner Katz had no objection to leaving the gates out if the garbage trucks could be accommodated in this fashion.

Mayor Naugle recalled the first street closures in Riverside Park some years ago. It had been a very controversial issue, but it had helped the neighborhood resolve the drug problem, and now it was a really great neighborhood. He was confident that the results in these neighborhoods would be as good.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the closures as discussed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 9:05 P.M., Commissioner Smith left the meeting.

Vacate a Portion of North/South Alley -
Home Depot USA, Inc. (PZ Case No. 6-P-01) (O-1)

At the Planning and Zoning regular meeting of August 15, 2001, it was recommended by a vote of 7-0 that the following application be approved. Ordinance No. C-01-46 was published on September 20 and 27, 2001, and passed on first reading on October 2, 2001 by a vote of 5-0.

Applicant:	Home Depot USA, Inc.
Request:	Vacate a portion of north/south alley
Location:	Alley south of East Sunrise Boulevard, between N.E. 3 Avenue and N.E. 4 Avenue

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-46

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE 15 FOOT ALLEY IN BLOCK 214, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF EAST SUNRISE BOULEVARD AND BOUNDED ON THE SOUTH BY A LINE PARALLEL WITH AND 176.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES, SAID SOUTH RIGHT-OF-WAY LINE OF EAST SUNRISE BOULEVARD, SAID ALLEY RUNNING NORTH TO SOUTH AND LOCATED BETWEEN NORTHEAST 3RD AVENUE AND NORTHEAST 4TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Amend Chapter 25 –

"Streets and Sidewalks" – Cable Television Systems –

Compliance with Florida Communications Services Tax Simplification Law (O-2)

An ordinance was presented amending Article X entitled "Cable Television Systems," of Chapter 25 of the Code of Ordinances to provide for amendments necessary for compliance with the Florida Communications Services Tax Simplification Law. Ordinance No. C-01-38 was published August 26, 2001, and passed on first reading September 5, 2001 by a vote of 4-0. On September 20, 2001, second reading was deferred to October 2, 2001 by a vote of 5-0; on October 2, 2001, second reading was again deferred to October 16, 2001 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-38

AN ORDINANCE AMENDING ARTICLE X, ENTITLED CABLE TELEVISION SYSTEMS OF CHAPTER 25 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING AMENDMENTS NECESSARY FOR COMPLIANCE WITH THE FLORIDA COMMUNICATIONS SERVICES TAX SIMPLIFICATION LAW; AMENDING AND ADDING DEFINITIONS; REVISING REQUIREMENTS FOR SYSTEM CAPABILITY, ACCESS BY OTHER PROVIDERS, INSTITUTIONAL NETWORKS AND PEG ACCESS, AND CABLE SERVICE TO THE FRANCHISE AREA; CLARIFYING CERTAIN PROVISIONS OF THE ORDINANCE; AND AMENDING CUSTOMER SERVICE STANDARDS AND THE FINES FOR VIOLATING CUSTOMER SERVICE STANDARDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 9:08 P.M., Commissioner Smith returned to the meeting.

**Amendment to the Pay Plan -
Pay Range Amounts for Schedules I and II (Nonbargaining Unit Employees) (O-3)**

An ordinance was presented amending the pay plan of the City to modify the schedules for pay range amounts for supervisory, professional, managerial and confidential employees. Ordinance No. C-01-43 was published September 10, 2001, and passed on first reading September 20, 2001 by a vote of 5-0. On October 2, 2001, second reading was deferred to October 16, 2001 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-43

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA MODIFYING THE SCHEDULES FOR PAY RANGE AMOUNTS FOR SUPERVISORY, PROFESSIONAL, MANAGERIAL AND CONFIDENTIAL EMPLOYEES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Amendment to Chapter 20 – General Employees
Retirement System – Deferred Retirement Option Plan (DROP) (O-4)**

An ordinance was presented amending Sections 20-107, 20-110, 20-112 and creating a new subsection 20-110(a) of the City's General Employees Retirement System, to create a DROP with a maximum participation period of 36 months commencing with the employee's normal retirement date. Ordinance No. C-01-47 was published on October 6, 2001, and passed on first reading on October 2, 2001 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-47

AN ORDINANCE CREATING A NEW SUBSECTION 20-110(a.1) AND AMENDING SECTIONS 20-107, 20-110, AND 20-112 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE RESPECTING THE GENERAL EMPLOYEES' RETIREMENT SYSTEM BY PROVIDING NEW DEFINITIONAL TERMS AND REVISING EXISTING DEFINITIONAL TERMS; CREATING A NEW DEFERRED RETIREMENT OPTION PROGRAM ("DROP"), DROP RETIREMENT AND DROP ACCOUNT PROVIDING FOR THE RECEIPT OF NORMAL MONTHLY RETIREMENT BENEFITS TO BE DEFERRED AND TRANSFERRED INTO A DROP ACCOUNT DURING THE DROP PERIOD AND FURTHER PROVIDING ADDITIONAL TERMS AND CONDITIONS THEREFOR; PROVIDING FOR TERMINATION OF DROP UPON THE OCCURRENCE OF CERTAIN EVENTS AND ESTABLISHING CONDITIONS RELATING TO THE STATUS OF THE DROP ACCOUNTS, DROP RETIREMENT AND ACCRUAL OF SERVICE; PROVIDING FOR DURATION AND SURVIVOR BENEFITS AS TO THE DROP ACCOUNT UPON THE DEATH OF A MEMBER IN DROP RETIREMENT; PROVIDING FOR CESSATION OF EMPLOYEE CONTRIBUTIONS DURING DROP PERIOD; PROVIDING FOR EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to Section 24-47 –

Royal Palm Frond Removal Service – Las Olas Isles Neighborhoods (O-5)

An ordinance was presented amending Section 24-47 of the Code of Ordinances, entitled "Charges Generally," to provide for Royal Palm frond removal service to the Las Olas Isles neighborhoods and establish service charges. Notice of the proposed ordinance will be published between first and second reading.

Commissioner Hutchinson asked if bids had been received. Mr. Greg Kisela, Assistant City Manager, replied that they were due in 30 days. Commissioner Hutchinson wanted to hard the bids before this was "locked in." Mr. Kisela said that the City's cost would be \$3, and the hope was that the private sector would come in with a lower price. He stated that if the price came in lower, staff would recommend acceptance of the bid.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-48

AN ORDINANCE AMENDING SECTION 24-47, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "CHARGES GENERALLY," PROVIDING FOR ROYAL PALM FROND REMOVAL SERVICE TO THE LAS OLAS ISLES NEIGHBORHOODS AND ESTABLISHING SERVICE CHARGES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Downtown Development Authority
(DDA) Budget and Millage Rate for Fiscal Year 2001/2002 (R-1)**

A resolution was presented approving the DDA's FY 2001/2002 budget and millage rates for operations and debt service.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-185

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, LEVYING AN AD VALOREM TAX FOR FISCAL YEAR 2001/2002 ON BEHALF OF THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CHAPTER 69-1056, LAWS OF FLORIDA, SPECIAL ACTS OF 1969.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Amendment to Resolution No. 01-105 -
Vacate 20-Foot Utility Easement – The Salvation Army (Case No. 4-M-00) (R-2)**

A resolution was presented revising the legal description in Resolution No. 01-105, which authorized the vacation of a 20-foot utility easement as follows:

Applicant: The Salvation Army
Request: Vacate 20-foot utility easement
Location: 1445 West Broward Boulevard

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-186

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 01-105 TO REVISE THE LEGAL DESCRIPTION FO THE VACATED UTILITY EASEMENT TO BE THE SOUTH 20 FEET OF LOT 5, BLOCK 20, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 5.00 FEET THEREOF, LOCATED ON THE EAST SIDE OF SOUTHWEST 9TH AVENUE, ONE BLOCK SOUTH OF WEST BROWARD BOULEVARD, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

International Swimming Hall of Fame (ISHOF) (OB)

Motion made by Commissioner Smith and seconded by Commissioner Moore to give written notice to International Swimming Hall of Fame, Inc. of termination of parking lot rights as provided in the Second Amendment to Agreement dated September 10, 1991 between City of Fort Lauderdale and the International Swimming Hall of Fame, Inc. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

The City Manager said that during the Conference meeting he had stated that he had not signed the agreement, but he had signed the agreement. However, he had not signed off on the implementation plan that would have allowed release of the money.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-187

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TERMINATING A \$405,000 GRANT AGREEMENT WITH THE INTERNATIONAL SWIMMING HALL OF FAME, INC. PREVIOUSLY AUTHORIZED UNDER RESOLUTION NO. 01-116.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

The City Attorney explained that it was not necessary to have a specific motion with regard to an RLI as discussed earlier today. He believed the Commission had provided sufficient direction. Commissioner Moore thought this should be handled as discussed at the Conference meeting unless there was some legal reason to do otherwise. The City Attorney explained that there were some "loose ends" to address, but he understood the Commission's direction. If necessary, he would meet with the Commissioners individually, and the matter would be brought back to the Commission when formal action was necessary.

Commissioner Smith asked the City Manager to state his understanding of the Commission's direction. The City Manager understood the Commission's direction was for staff to pursue a method of ascertaining interest in the development of the current site and to learn what restrictions there might be on some adjacent property not currently under the City's control. Further, he understood the Commission wanted to know if the offer presented today could be met or exceeded by other interested parties. In addition, Commissioner Katz asked if there was a means of ascertaining the financial stability of whatever entities came forth with proposals.

Mayor Naugle believed there was also discussion about investigating the deed situation with people in Tallahassee, and it had been agreed there would be a discussion by the Beach Redevelopment Advisory Board. The City Manager agreed he had heard that instruction.

Fort Lauderdale Tourism Efforts (OB)

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to authorize the transfer of \$25,000 from General Fund Contingencies (Index Code FD001, Subobject 9950) to Public Information (Index Code MGR090101, Subobject 3299) to support Fort Lauderdale Tourism efforts. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Historic Preservation Board	Lee Ruckman
Parks, Recreation and Beaches Advisory Board	Dean Thomas "Tom" Peters Robin Bodiford Nathalie Monique Duverna
Unsafe Structures and Housing Appeals Board	Brent Tozzer

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 01-188

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 9:20 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk